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UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
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| APPLICATION NUMBER | FILING/RECEIPT DATE | FIRST NAMED APPLICANT | ATTORNEY DOCKET NUMBER |
|--------------------|---------------------|-----------------------|------------------------|
| 09/941,154 | 08/27/2001 | John R. Bianchi | RTI-112RIA |

CONFIRMATION NO. 5282
FORMALITIES LETTER



OC000000007186286*

Date Mailed: 12/12/2001

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given TWO MONTHS from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
Applicant must submit \$ 710 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).
- Total additional claim fee(s) for this application is \$3698.
 - \$1458 for 81 total claims over 20.
 - \$2240 for 28 independent claims over 3 .
- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 4538.

*A copy of this notice **MUST** be returned with the reply.*

[Signature]
Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

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1008.00
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Bianchi et al.

Application No.: 09/941,112

Filed: 8/27/2001

MAR 26 2002
P E JC3

Title: ASSEMBLED IMPLANT, INCLUDING
MIXED-COMPOSITE MESH MESHMENT

Attorney Docket No.: RTI-112RIA

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**RESPONSE TO NOTICE TO FILE MISSING PARTS OF APPLICATION AND
PETITION TO MAKE APPLICATION UNDER 37 CFR § 1.47(a)**

Assistant Commissioner for Patents

Washington, D.C. 20231

Attention: Box Missing Parts

Sir:

This is in response to a Notice to File Missing Parts of Application under 37 CFR 1.53(b). Enclosed is a copy of said Notice and the following documents and fees to complete the filing requirements of the above-identified application.

(X) Partially executed Declaration and Power of Attorney. Please see the attached Petition under 37 C.F.R. 1.47(a) for explanation of partial execution. The above-identified application is the same application, which the inventor executed by signing the enclosed declaration.

(X) Statutory basic filing fee of \$740.00 (X) Utility () Design

(X) Preliminary Amendment; New Fee Transmittal reflecting re-calculated additional claim fees of \$2,772.00 (\$1008.00 for 76 total claims over 20 and \$1,764.00 for 21 independent claims over 3).

(X) Missing Parts Surcharge of \$130.00.

(X) Petition and fee for a one-month extension of time in the amount of \$110.00.

(X) Petition to Make Application Under 37 CFR § 1.47(a) with attachments.

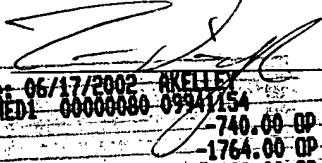
(X) Petition fee under 37 CFR § 1.17(h).

(X) Payment is by credit card. Form PTO-2038 is enclosed.

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope with sufficient postage addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231.

Date of Deposit: March 12, 2002

Typed Name: Timothy H. Van Dyke

Signature: 

Adjustment dates 06/17/2002 AKELLEY
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02 FC:102 -1764.00 0P
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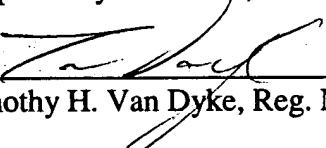
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Credit Card Refund Total: \$1876.00

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PTO-2038 is enclosed.

Respectfully submitted,

By 
Timothy H. Van Dyke, Reg. No. 43248

Date: March 12, 2002

Customer No: 29847

Van Dyke & Associates, P.A.

1630 Hillcrest Street

Orlando, FL 32803

Phone: 407-228-0328; Fax: 407-228-2023

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Approved for use through 10/31/2002. OMB 0651-0032
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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**FEE
TRANSMITTAL
for FY 2002**

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT **(\$ 2,772.00)**

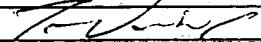
| <i>Complete if Known</i> | |
|--------------------------|-----------------|
| Application Number | 09/941,154 |
| Filing Date | 8/27/2001 |
| First Named Inventor | Bianchi, et al. |
| Examiner Name | Unknown |
| Group Art Unit | 1615 |

| METHOD OF PAYMENT | | | |
|--|-------------|-------------|---|
| 1. <input type="checkbox"/> The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to: | | | |
| Deposit Account Number | | | |
| Deposit Account Name | | | |
| Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17 | | | |
| Applicant claims small entity status. See 37 CFR 1.27 | | | |
| 2. <input checked="" type="checkbox"/> Payment Enclosed: | | | |
| Check | Credit Card | Money Order | <input checked="" type="checkbox"/> Other |

| FEES CALCULATION | | | | | |
|----------------------------|----------------------------|-----------------|-------------|------------------------|-----------------|
| 1. BASIC FILING FEE | | | | | |
| Large Entity Fee Code (\$) | Small Entity Fee Code (\$) | Fee Description | | | |
| 101 | 740 | 201 | 370 | Utility filing fee | |
| 106 | 330 | 206 | 165 | Design filing fee | |
| 107 | 510 | 207 | 255 | Plant filing fee | |
| 108 | 740 | 208 | 370 | Reissue filing fee | |
| 114 | 160 | 214 | 80 | Provisional filing fee | |
| SUBTOTAL (1) | | | (\$) | | |
| 2. EXTRA CLAIM FEES | | | | | |
| Total Claims | 76 | -20**= | 56 | X | Fee from below |
| Independent Claims | 24 | -3**= | 21 | X | 18.00 = 1008.00 |
| Multiple Dependent | | | | | 84.00 = 1764.00 |
| SUBTOTAL (2) | | | (\$) | 2772.00 | |

*** or number previously paid, if greater; For Reissues, see above*

| FEES CALCULATION (continued) | | | | | |
|-------------------------------------|-----------------------|----------------------------|---|--|---------------------------------|
| 3. ADDITIONAL FEES | | | | | |
| Fee Code | Large Entity Fee (\$) | Small Entity Fee Code (\$) | Fee Description | | |
| 105 | 130 | 205 | 65 Surcharge - late filing fee or oath | | |
| 127 | 50 | 227 | 25 Surcharge - late provisional filing fee or cover sheet | | |
| 139 | 130 | 139 | 130 Non-English specification | | |
| 147 | 2,520 | 147 | 2,520 For filing a request for <i>ex parte</i> reexamination | | |
| 112 | 920* | 112 | 920* Requesting publication of SIR prior to Examiner action | | |
| 113 | 1,840* | 113 | 1,840* Requesting publication of SIR after Examiner action | | |
| 115 | 110 | 215 | 55 Extension for reply within first month | | |
| 116 | 400 | 216 | 200 Extension for reply within second month | | |
| 117 | 920 | 217 | 460 Extension for reply within third month | | |
| 118 | 1,440 | 218 | 720 Extension for reply within fourth month | | |
| 128 | 1,960 | 228 | 980 Extension for reply within fifth month | | |
| 119 | 320 | 219 | 160 Notice of Appeal | | |
| 120 | 320 | 220 | 160 Filing a brief in support of an appeal | | |
| 121 | 280 | 221 | 140 Request for oral hearing | | |
| 138 | 1,510 | 138 | 1,510 Petition to institute a public use proceeding | | |
| 140 | 110 | 240 | 55 Petition to revive - unavoidable | | |
| 141 | 1,280 | 241 | 640 Petition to revive - unintentional | | |
| 142 | 1,280 | 242 | 640 Utility issue fee (or reissue) | | |
| 143 | 460 | 243 | 230 Design issue fee | | |
| 144 | 620 | 244 | 310 Plant issue fee | | |
| 122 | 130 | 122 | 130 Petitions to the Commissioner | | |
| 123 | 50 | 123 | 50 Processing fee under 37 CFR 1.17(q) | | |
| 126 | 180 | 126 | 180 Submission of Information Disclosure Stmt | | |
| 581 | 40 | 581 | 40 Recording each patent assignment per property (times number of properties) | | |
| 146 | 740 | 246 | 370 Filing a submission after final rejection (37 CFR § 1.129(a)) | | |
| 149 | 740 | 249 | 370 For each additional invention to be examined (37 CFR § 1.129(b)) | | |
| 179 | 740 | 279 | 370 Request for Continued Examination (RCE) | | |
| 169 | 900 | 169 | 900 Request for expedited examination of a design application | | |
| Other fee (specify) _____ | | | | | |
| *Reduced by Basic Filing Fee Paid | | | | | SUBTOTAL (3) (\$) |

| SUBMITTED BY | | Complete (if applicable) |
|-------------------|---|---|
| Name (Print/Type) | Timothy H. Van-Dyke | Registration No. (Attorney/Agent) 43218 Telephone 407-228-0328 |
| Signature |  | Date 3-12-2002 |

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February 11, 2002

Ms. Diane Carter
c/o Mr. Larry Ciesla
P.O. Box 1161
Gainesville, FL 32602

**VIA FACSIMILE &
MAIL CONFIRMATION**

Re: Formal Filing Documents for our Docket Nos:
TB-104IACA; RTI-118IB; RTI-118IC, RTI-112RIA & RTI-D1

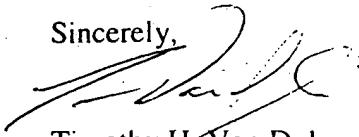
Dear Ms. Carter:

You are in possession of several patent related documents (declaration/power of attorney and assignments forms) for which your signature is needed as the administrator of Mr. Kevin Carter's estate. As far back as November 2001, I have been communicating with you through your attorneys to explain the purpose of these documents. You have also been told that deadlines exist by which these forms must be submitted to the U.S. Patent and Trademark Office. To date, none of the executed forms have been returned to our office.

My client, Regeneration Technologies, Inc., has incurred attorney's fees and time extension fees to keep some of the underlying patent applications pending. Unless the subject forms are filed in the Patent Office, more fees will be incurred, or worse, the applications may go abandoned. As each day passes, the urgency to file the forms increases. Therefore, unless we are faxed (followed by mail) the documents that we sent to you on January 17, 2002 and January 22, 2002 regarding our Docket Nos. TB-104IACA; RTI-118IB; RTI-118IC, RTI-112RIA & RTI-D1 by Wednesday, February 13, 2002, we will proceed to file the necessary documents without your signature. Concurrently, we will file a Petition under 37 CFR 1.47 requesting that the Patent Office accept these documents without your signature given your unwillingness to execute them.

In view of Mr. Kevin Carter's clear obligation to assign his rights to any invention he invented in the scope of his employment with RTI, I was hoping that you would recognize this obligation, and be cooperative in executing the necessary forms. I still hope that we can cooperate, as ultimately it serves both your and RTI's interests.

Sincerely,



Timothy H. Van Dyke
Patent Counsel for Regeneration Technologies, Inc.
TVD/mkk

Van Dyke & Associates, P.A.
1630 Hillcrest Street
Orlando, Florida 32803

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